

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DARIUS PADUCH,

Defendant.

23-cr-181 (RA)

ORDER

TO: Warden, Metropolitan Detention Center, MDC Brooklyn

RE: Darius Paduch, Fed. Reg. No. 53470-510

WHEREAS the trial of Darius Paduch is scheduled to commence on April 24, 2024;

WHEREAS on March 8, 2024, this Court entered an order (the “March 8, 2024 Order”) providing that “IT IS HEREBY ORDERED that regardless of lockdowns and staffing issues in the facility, MDC shall permit the defendant to have access to a computer to prepare for trial for fifteen to twenty-five hours per week, starting immediately and continuing until April 24, 2024 and after the trial begins.” *See* Dkt. 64;

WHEREAS the Court has been informed that Paduch has not in fact been provided with the access mandated by the March 8, 2024 Order;

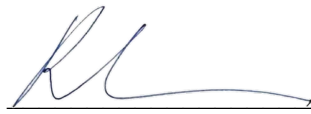
IT IS HEREBY ORDERED that to ensure compliance with the March 8, 2024 Order, an employee and/or representative of the MDC shall, each day, provide an update to this Court, copying counsel for both parties, as to whether: i) Paduch was offered access to discovery on that date; ii) the number of hours Paduch was offered access on that date; and iii) whether Paduch accepted or declined to review discovery on that date;

IT IS FURTHER ORDERED that, in light of the MDC’s prior failure to comply with the March 8, 2024 Order, the MDC shall permit Paduch to have access to a computer to prepare for trial for **at least twenty-five** hours per week, starting immediately and unless and until the Court orders otherwise.

Should the MDC fail to comply with this Order, the Court will promptly hold a hearing to determine whether to hold the MDC in contempt, at which representatives of the MDC will be required to attend. *See, e.g., Nigro v. United States*, No. 09-CR-1239, 2016 WL 3211968, at *2 (S.D.N.Y. June 9, 2016) (describing hearings the court held to determine whether “to hold the Warden of the Metropolitan Detention Center in contempt of an order by this Court granting [the defendant] improved access to certain discovery materials,” at one of which the Warden appeared personally).

SO ORDERED.

Dated: April 4, 2024
New York, New York



Ronnie Abrams
United States District Judge